

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

Marlon T. Holmes, :
Plaintiff : CIVIL ACTION NO. 3:13-1635
v. : (MANNION, D.J.)
Daniel S. Keen, *et al.*, : (BLEWITT, M.J.)
Defendants :

ORDER

For the reasons discussed in the court's memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

- (1) Judge Blewitt's report and recommendation, (Doc. [27](#)), is **ADOPTED IN FULL**;
- (2) The eighth amendment claim against Defendant Brian Jones is **DISMISSED WITHOUT PREJUDICE**;
- (3) The clerk is **ORDERED** to terminate Defendant Brian Jones from this action;
- (4) The clerk is further **ORDERED** to close this case.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Date: July 28, 2014